



State of Utah

GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

## Department of Environmental Quality

Alan Matheson  
Executive Director

DIVISION OF WATER QUALITY  
Erica Brown Gaddis, PhD  
Director

**Water Quality Board**  
Myron E. Bateman, Chair  
Jennifer Grant, Vice-Chair  
Clyde L. Bunker  
Steven K. Earley  
Gregg A. Galecki  
Michael D. Luers  
Alan Matheson  
David C. Ogden  
Dr. James VanDerslice  
Dr. Erica Brown Gaddis  
Executive Secretary

### **MINUTES**

#### **UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY**

#### **UTAH WATER QUALITY BOARD**

195 North 1950 West  
Salt Lake City, UT 84116  
May 23, 2018

#### **UTAH WATER QUALITY BOARD MEMBERS PRESENT**

Myron Bateman	Clyde Bunker
Steven Earley	Gregg Galecki
Jennifer Grant	Michael Luers
Alan Matheson	James VanDerslice

Excused: David Ogden

#### **DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT**

Erica Gaddis, Brenda Johnson, Savannah Miller, Marsha Case, Jerry Rogers, Emily Cantón, Kim Shelley, James Harris, Jim Bowcutt, Carl Adams, Lenora Sullivan, Skyler Davies, Amy Dickey, Cheryl Parker, Beth Wondimu, Ken Hoffman

#### **OTHERS PRESENT**

<b><u>Name</u></b>	<b><u>Organization Representing</u></b>
Justin Zollinger	Central Valley Water Reclamation Facility
Phil Heck	Central Valley Water Reclamation Facility
Kyle Kershaw	City of South Salt Lake
Jay Olsen	UDAF
Dennis Pay	City of South Salt Lake
Ashley Kijowski	DWR
Mike Wilson	CRS Engineers
Jason Broome	Forsgren Assoc.
David Richards	Oreo Helix
Justin Atkinson	Sunrise Engineering
Scott Baird	Department of Environmental Quality

Mr. Bateman called the Board meeting to order at 9:30 AM and took roll call for the members of the Board and audience.

### **APPROVAL OF MINUTES OF THE APRIL 18, 2018 MEETING**

**Motion:** Ms. Grant moved to approve the minutes of the April 18, 2018 meeting. Mr. Bunker seconded the motion. The motion passed unanimously.

### **EXECUTIVE SECRETARY REPORT**

- EPA Administrator Scott Pruitt extended the application deadline for the Water Infrastructure Finance and Innovation Act (WIFIA) program until July 31, 2018. This is the program's second year of funding and could be the last. Congress appropriate 5.5 billion for water infrastructure projects across the country. Currently, there are no applications from Utah. The minimum project value is \$20 million, therefore, this would be an option to fund large projects. The interest rate is also much more prescriptive than the SRF Program and is tied to the US Treasury rate. WIFIA will fund up to 49% of a large project, but the Board could fund the other portion in order to match the federal dollars. Another benefit that WIFIA allows up to a 5 year deferment in repayment after the project is completed. The Division is looking at potential projects in Utah once the SRF funds have been used.
- Dr. Gaddis attended the National Water Quality Standards meeting with the EPA in Washington, DC. Utah was one of seven states represented along with 60 EPA employees from headquarters and the regional offices. EPA staff highlighted Administrator Scott Pruitt's top three priorities which are: promote core programs, follow the rule of law, and cooperative federalism. At the national level, some of the top priorities for water quality standards are updating aluminum criteria, studying recreation use designations and public health, developing a biosolids risk screening tool, and discussing contaminants of emerging concern like PFAS (Per- and Polyfluoroalkyl Substances). The Water Finance Center also presented the WIFIA program and three funding areas of importance, which are pre-disaster resiliency, regionalization, and the use of public/private partnership funding strategies.
- The Division has made great progress in the harmful algal bloom program. On May 17, 2018, the Division held a Harmful Algal Bloom response workshop that was attended by local, state, and federal agencies. Water Quality feels positive about the HAB response plan and the HAB monitoring plan that has been developed for this season. They have identified 20 reservoirs that will be monitored monthly due to concerns of vulnerability or history of blooms and nutrient problems. Another 50 or 60 reservoirs already monitored for E coli will

also be screened for potential blooms.

- A bloom developing on Mantua reservoir was reported on May 22nd by Utah State Water Watch. The toxin test showed slightly positive for microcystins. Samples have been collected and sent to the UDAF lab.
- The Salem project is out for bid, and there are concerns that costs will come in higher than expected. They may return to the Board later this year if the bid does come in higher for a change in their loan amount.
- There is a project being introduced in June for Kane County Water Conservancy District (Duck Creek). The District has been working to obtain lagoons from the Forest Service that can be converted in order to replace the current failing septic systems. They will likely come before the Board looking for some initial funding to cover the cost of that land purchase and may request assistance for a larger project later on.
- Jim Bowcutt will update the board on the 319 project that is being funded this year. There were a number of applications from Animal Feeding Operations (AFOs) that exceed the capacity of the 319 budget. Because there is a search for the best interest rate, there has been discussion of the possibility of the Board funding or buying down the interest rate of an ARDL (Agriculture Resource Development Loan program). The ARDL is the loan program that the Department of Agriculture routinely loans money out for producers to use for projects.
- There have been conversations with a number of communities in southern Utah County that are looking at major facility upgrades. The loan that the Board funded for the purchase of land for a regional facility has been paid back as of last month, so it's time to decide whether to move forward with the regionalization project before the plants upgrade on their own.
- Water Quality managers had a successful retreat with their new management team. They identified their successes and priorities for the upcoming year that will be presented to the Board in June.
- The study request process that was tabled at the last meeting was brought back to the Board's attention in an effort to make a decision to how to proceed with the incoming requests that have been received. It was decided that the criteria for solicitation will be reviewed and used to gather a list of projects for the Board to approve on a project-by-project basis with criteria based prioritization. They will have the option to revisit the procedure next year to make any changes.
- Lenora Sullivan was introduced as the manager of the Information and Data Services Section. The new section is made up of staff from a number of different sections to manage the division's databases, document management, and the website.

## **FUNDING REQUESTS**

**Financial Report – presented by Ms. Emily Canton:** Ms. Canton updated the Board on the loan funds and Hardship Grant funds, as indicated in the packet.

**South Salt Lake City Construction Assistance – Introduction:** Ms. Parker assisted the City of South Salt Lake in their introduction to request for hardship financial assistance from the Utah Water Quality Board in the amount of \$7,600,000 or 6.2907% of Central Valley Water Reclamation Facility's total project cost of \$120,000,000 for the phase two phosphorus project.

## **RULE MAKING**

**Request for formal adoption of TMDL into Rule (R317-1-7):** The Water Quality Board previously authorized initiation of rulemaking to adopt the TMDL for the North Fork Virgin River for *E. coli* on February 28, 2018. Since no comments were received during the public comment period, Ms. Dickey is recommending that the Board adopt the rule change by referencing the TMDL study for North Fork Virgin River into Rule (R317-1-7.65).

**Motion:**        **Mr. Galecki moved to approve the North Fork Virgin River request for formal adoption of TMDL into Rule (R317-1-7). Ms. Grant seconded the motion. The motion passed unanimously.**

## **OTHER BUSINESS**

**State Nonpoint Source Program Annual Report for Fiscal Year 2018:** Mr. Bowcutt reported an overview of the annual report for the NPS program to outline the accomplishments of fiscal year 2018, and the 2019 projects funded. He also presented funding AFOs, including the proposition for the Board to buy down the interest rate of the ARDL program. Additional information will be brought to the Board at a future meeting for review.

To listen to the full recording of the Board meeting go to: <http://www.utah.gov/pmnn/index.html>

**Next Meeting – June 27, 2018**

  
Jennifer Grant, Vice-Chair  
Utah Water Quality Board